

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:
Plaintiff,	:
	:
-against-	:
	:
CARLOS ALBERTO VALLADARES ZUNIGA,	:
Defendant.	:
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15 Cr. 174-8 (LGS)

ORDER

LORNA G. SCHOFIELD, District Judge:

WHEREAS, on June 20, 2022, Mr. Neil B. Checkman applied for an order re-appointing counsel, *nunc pro tunc* to June 17, 2022, to represent Defendant Carlos Alberto Valladares Zuniga on an application to reduce his sentence pursuant to 18 U.S.C. § 3582(c)(1)(A);

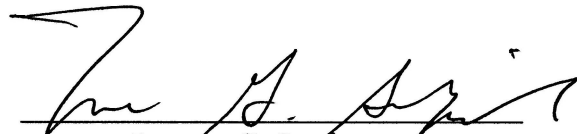
WHEREAS, “there is no statutory right to counsel under the Criminal Justice Act in connection with a § 3582(c) motion, and . . . the provision of such counsel should rest in the discretion of the district court.” *United States v. Cirineo*, 372 F. App’x 178, 179 (2d Cir. 2010) (summary order) (citing *United States v. Reddick*, 53 F.3d 462, 464-65 (2d Cir. 1995)); accord *United States v. Dussard*, No. 16 Crim. 673-2, 2020 WL 6263575, at \*3 (S.D.N.Y. Oct. 23, 2020). The merits of a motion for compassionate release are a “significant factor in the exercise of that discretion.” *Reddick*, 53 F.3d at 465 n.2; accord *Dussard*, 2020 WL 6263575, at \*3.

WHEREAS, in an Order dated June 22, 2022, the Court directed Defendant or Mr. Checkman to file a letter describing the basis for the motion for reducing Defendant’s sentence;

WHEREAS, on July 22, 2022, Mr. Checkman filed a letter describing the basis for the motion. Based on the foregoing, it is hereby

**ORDERED** that Mr. Checkman’s application for the re-appointment of counsel is denied.

Dated: August 16, 2022  
New York, New York

  
LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE